

**MARKMAN LAW**

DAVID MARKMAN (Nev. Bar. No. 12440)  
David@Markmanlawfirm.com  
4484 S. Pecos Rd., Suite #130  
Las Vegas, Nevada 89121  
Telephone: (702) 843-5899  
Facsimile: (702) 843-6010

**GUTRIDE SAFIER LLP**

SETH A. SAFIER (admitted *pro hac vice*)  
seth@gutridesafier.com  
MARIE A. MCCRARY (admitted *pro hac vice*)  
marie@gutridesafier.com  
HAYLEY REYNOLDS (admitted *pro hac vice*)  
hayley@gutridesafier.com  
ANTHONY J. PATEK (admitted *pro hac vice*)  
anthony@gutridesafier.com  
KALI BACKER (admitted *pro hac vice*)  
kali@gutridesafier.com  
100 Pine Street, Suite 1250  
San Francisco, CA 94111  
Telephone: (415) 336-6545  
Facsimile: (415) 449-6469

*Attorneys for Plaintiffs*

**CAMPBELL & WILLIAMS**

J. COLBY WILLIAMS (Nev. Bar No. 5549)  
jcw@cwlawlv.com  
710 South Seventh Street, Suite A  
Las Vegas, Nevada 89101  
Telephone: (702) 382-5222  
Facsimile: (702) 382-0540

**PAUL HASTINGS LLP**

SUSAN K. LEADER (admitted *pro hac vice*)  
susanleader@paulhastings.com  
ALI R. RABBANI (admitted *pro hac vice*)  
alirabbani@paulhastings.com  
STEPHANIE V. BALITZER (admitted *pro hac vice*)  
stephaniebalitzer@paulhastings.com  
1999 Avenue of the Stars, 27<sup>th</sup> Floor  
Los Angeles, CA 90067  
Telephone: (310) 620-5700  
Facsimile: (310) 620-5899

*Attorneys for Defendants*

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

EVERETT BLOOM, JACK GRAHAM,  
AND DAVE LINDHOLM, on behalf of  
themselves, and those similarly situated,

Plaintiffs,

v.

ZUFFA, LLC; ENDEAVOR  
STREAMING, LLC; and ENDEAVOR  
GROUP HOLDINGS, INC.

Defendants.

Case No.: 2:22-cv-00412-RFB-BNW

**JOINT STIPULATION TO EXTEND  
MOTION FOR CLASS CERTIFICATION  
BRIEFING SCHEDULE AND  
[PROPOSED] ORDER**

**(Fourth Request)**

Pursuant to LR 7-1 and LR IA 6-1, Plaintiffs Everett Bloom, Jack Graham, and Dave Lindholm (collectively, “Plaintiffs”) and Defendants Zuffa, LLC (“Zuffa”), Endeavor Streaming, LLC, and Endeavor Group Holdings, Inc. (collectively, “Defendants”) (together, the “Parties”) hereby stipulate to extend the briefing schedule on Plaintiffs’ Motion for Class Certification, which Plaintiffs filed under seal on June 9, 2023, by 90 days for Defendants’ Opposition and 104 days for Plaintiffs’ Reply Brief for the reasons set forth below. This is the Parties’ fourth stipulation regarding the Motion for Class Certification briefing schedule.

**Plaintiffs’ Motion for Class Certification and the Parties’ Previous Stipulations**

WHEREAS, on May 25, 2022, the Court set a briefing schedule for Plaintiff Bloom’s Motion for Class Certification, which set deadlines of January 4, 2023 for Plaintiff’s Motion, March 3, 2023 for Zuffa’s Opposition, and May 2, 2023 for Plaintiff’s Reply (ECF No. 32);

WHEREAS, on November 29, 2022, the Court granted Plaintiff Bloom and Zuffa’s First Joint Stipulation to Continue Deadlines for Class Certification by 90 days to allow additional time for discovery (ECF No. 39);

WHEREAS, on March 14, 2023, the Court granted Plaintiff Bloom and Zuffa’s Second Joint Stipulation to Continue Deadlines for Class Certification by 60 days to allow time for additional discovery and the Parties’ private mediation on March 30, 2023 (ECF No. 41);

WHEREAS, on May 30, 2023, the Court granted Plaintiff Bloom and Zuffa’s Third Joint Stipulation to Continue Deadlines for Class Certification by one week to provide Plaintiff additional time to take the deposition of one of Zuffa’s employees (ECF No. 48);

WHEREAS, on June 9, 2023, Plaintiffs filed their Motion for Class Certification;<sup>1</sup>

WHEREAS, Defendants’ current deadline to file their Opposition to Plaintiffs’ Motion for Class Certification and Disclosure of Expert(s) and Expert Report(s) Relating to Class Certification is August 1, 2023, and Plaintiffs’ current deadline to file their Reply Brief In Support of Motion for Class Certification and Rebuttal Expert Report(s) is September 29, 2023;

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<sup>1</sup> Plaintiffs’ Motion for Class Certification does not appear on the docket. However, Plaintiffs’ counsel served copies of their papers by email on June 9, 2023 (ECF No. 55).

**Ongoing Discovery Relating to Class Certification Issues**

WHEREAS, on December 5, 2022, Zuffa served its First Set of Requests for Production and Interrogatories on Plaintiff Bloom;

WHEREAS, on December 15, 2022, Plaintiff Bloom served Meta Platform, Inc. (d/b/a Facebook) (“Meta”) with a subpoena for documents and deposition testimony (“Meta Subpoena”);

WHEREAS, on April 25, 2023, Plaintiff Bloom filed a Motion to Compel Non-Party Production and Deposition by Meta Platform, Inc. (“Meta”) Pursuant to Subpoena in the Northern District of California (*In re Subpoena to Meta Platform, Inc.*, No. 3:23-mc-80127-LJC, ECF No. 1);

WHEREAS, on June 2, 2023, shortly after Plaintiffs Graham and Lindholm were added as parties to this action,<sup>2</sup> Zuffa served its First Set of Requests for Production and Interrogatories on Plaintiffs Graham and Lindholm;

WHEREAS, on June 16, 2023, Plaintiff Bloom and Meta reached an agreement that will resolve Plaintiff’s Motion to Compel regarding the Meta Subpoena, pursuant to which Meta has agreed to produce certain Pixel event data relating to Plaintiffs within the next several weeks at a minimum, which the Parties anticipate will be relevant to class certification issues;

WHEREAS, on June 23, 2023, after numerous meet and confers between the Parties, Zuffa filed a Motion to Compel Plaintiff Bloom to Produce Additional Documents and Interrogatory Responses (ECF. No. 57);

WHEREAS, on June 23, 2023, shortly after Plaintiffs filed their Motion for Class Certification,<sup>3</sup> Zuffa also served Plaintiffs’ experts with subpoenas for documents and deposition testimony;

WHEREAS, on June 23, 2023, Plaintiffs’ counsel informed counsel for Zuffa that they may seek to intervene to add two new plaintiffs in this action;

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<sup>2</sup> Plaintiffs Graham and Lindholm were added as parties to this action on May 29, 2023 when Plaintiffs filed the First Amended Class Action Complaint (“FAC”) (ECF No. 47).

<sup>3</sup> As noted above, Plaintiffs filed their Motion for Class Certification on June 9, 2023. In support of their Motion, Plaintiffs submitted expert reports from Rebecca Herold and Bruce McFarlane.

1 WHEREAS, the week of June 23, 2023, Plaintiffs' counsel Kali Backer experienced a  
2 family emergency, requiring her absence for an extended period of several weeks;

3 WHEREAS, on June 28, 2023, due to Ms. Backer's absence, Zuffa agreed to Plaintiff  
4 Graham and Lindholm's request for a two-week extension of time to provide their discovery  
5 responses, which are now due on July 17, 2023;

6 WHEREAS, given the outstanding discovery from Plaintiffs and Meta, which the Parties  
7 anticipate will be relevant to class certification issues, the Parties have met and conferred and  
8 agree that Defendants' deadline to file an Opposition to Plaintiffs' Motion for Class Certification  
9 should be extended by 90 days to avoid prejudice to Zuffa and to allow Zuffa sufficient time for  
10 (1) the Court to resolve Zuffa's Motion to Compel further discovery from Plaintiff Bloom, (2)  
11 Plaintiffs Graham and Bloom to respond to Zuffa's written discovery and produce responsive  
12 documents and, if necessary, for Zuffa to file a motion to compel with respect to their discovery  
13 responses, (3) Meta to complete its production of Pixel event data in response to the Meta  
14 Subpoena, (4) Zuffa to seek discovery from the two new potential plaintiffs, and (5) Zuffa to  
15 depose Plaintiffs and their experts after receiving Plaintiffs' and Meta's productions; and

16 WHEREAS, the Parties have met and conferred and also agree that Plaintiffs' deadline to  
17 file a Reply Brief in Support of the Motion for Class Certification should be extended an  
18 additional two weeks (i.e., 104 days total) to avoid setting the deadline during or immediately  
19 following the December 2023 holidays.

20 **THEREFORE**, the Parties hereby stipulate and agree that there is good cause to extend the  
21 briefing schedule on Plaintiffs' Motion for Class Certification as follows:

- 22 • Defendants' Opposition to Plaintiffs' Motion for Class Certification and  
23 Disclosure of Expert(s) and Expert Report(s) Relating to Class Certification will  
24 be due by October 30, 2023;
- 25 • Plaintiffs' Reply Brief in Support of Class Certification and Rebuttal Expert  
26 Report(s) in Support of Class Certification will be due by January 11, 2024;
- 27 • The hearing on Plaintiffs' Motion for Class Certification shall be 14 days after  
28 Plaintiffs' Reply is filed, or as soon thereafter as the Parties may be heard; and

- Nothing in this stipulation shall be construed as a waiver of any of Defendants' rights or defenses, including, without limitation, jurisdictional defenses.

STIPULATED AND AGREED to this 5th day of July 2023.

By: /s/ Anthony J. Patek  
**GUTRIDE SAFIER LLP**  
 Seth A. Safier  
 Marie A. McCrary  
 Hayley Reynolds  
 Anthony J. Patek  
 Kali Backer  
 100 Pine Street, Suite 1250  
 San Francisco, California 94111

**MARKMAN LAW**  
 DAVID MARKMAN (Nev. Bar. No. 12440)  
 David@Markmanlawfirm.com  
 4484 S. Pecos Rd., Suite #130  
 Las Vegas, Nevada 89121  
 Telephone: (702) 843-5899  
 Facsimile: (702) 843-6010

*Attorneys for Plaintiffs*

By: /s/ Susan K. Leader  
**PAUL HASTINGS LLP**  
 Susan K. Leader  
 Ali R. Rabbani  
 Stephanie V. Balitzer  
 1999 Avenue of the Stars, 27th Floor  
 Los Angeles, California 90067  
 Telephone: (310) 620-5700  
 Facsimile: (310) 620-589

**CAMPBELL & WILLIAMS**  
 J. COLBY WILLIAMS (Nev. Bar No. 5549)  
 jcw@cwlawlv.com  
 710 South Seventh Street, Suite A  
 Las Vegas, Nevada 89101  
 Telephone: (702) 382-5222  
 Facsimile: (702) 382-0540

*Attorneys for Defendants*

**IT IS SO ORDERED:**



**RICHARD F. BOULWARE, II**  
**UNITED STATES DISTRICT JUDGE**

DATED this 6th day of July, 2023.